IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 12401 of 2007

==========

RAJENDRA DALICHAND KOTICHA & 5 - Petitioner(s)
Versus
STATE OF GUJARAT & 5 - Respondent(s)

==========

Appearance :
MR NK PAHWA for M/S THAKKAR ASSOC. for Petitioner(s) : 1 - 6.
MR MIHIR JOSHI Ld. ADDL. ADVOCATE GENERAL With MS. TRUSHA PATEL Ld. ADDL. GOVERNMENT PLEADER for Respondent(s) : 1,2 & 3
MR BHARAT T RAO for Respondents nos. 5 & 6
None for Respondent(s) : 4.

==========

CORAM : HONOURABLE MR.JUSTICE M.S.SHAH

and

HONOURABLE MR.JUSTICE H.B.ANTANI

Date : 08/05/2007

ORAL OPERATIVE ORDER

(Per : HONOURABLE MR.JUSTICE M.S.SHAH)

For the reasons recorded in the judgment, this petition is allowed. The decision dated 4.5.2007 of the Election Officer (Annexure-B) rejecting the nomination forms is quashed and set aside, as illegal. The Election Officer shall publish, by 11.5.2007, the revised final list of candidates including the petitioners herein for the Constituency of Traders holding general licence under clause-(ii) of sub-clause (1) of Section 11 of the Gujarat Agricultural Market Committee Act, 1963. The polling shall be held on 19.5.2007 as scheduled. Rule is accordingly made absolute in the above terms.

This order is pronounced in the presence of Mr NK Pahwa for the petitioners, Ms Trusha Patel learned AGP for

respondents no. 1 to 3 and Mr BT Rao for respondents no. 5 and 6.

At this stage, Mr BT Rao requests for stay of this order. Request is rejected.

(M.S. SHAH, J.)

(H.B. ANTANI, J.)

mandora/